



September 1, 2016

Ex Parte

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42;
Telecommunications Carriers Eligible for Universal Service Support,
WC Docket No. 09-197; Connect America Fund, WC Docket No. 10-90

Dear Ms. Dortch:

On Tuesday, August 30, 2016, Jeb Benedict (CenturyLink), Alton Burton, Jr. (Frontier), Anisa Latif (AT&T) and I met with Trent Harkrader, Jodie Griffin, Garnet Hanly, Christian Hoefly, and Nathan Eagan of the Wireline Competition Bureau to discuss USTelecom's Petition for Reconsideration and Clarification (USTelecom Petition)¹ filed in the above reference proceeding.² During our meeting we discussed several issues raised in the USTelecom Petition, and encouraged the Federal Communications Commission (Commission) to take appropriate action.

USTelecom discussed the need for the Commission to reconsider its exception standard for the "Highest Performing Generally Available" residential offering.³ Emphasizing the administrative complexity associated with such a standard, USTelecom encouraged the Commission to instead permit providers to participate in such offerings, so long as they provide a 4Mbps/1 Mbps "or better" service to consumers. USTelecom pointed out that its proposal would still ensure a minimum level of service, while removing unnecessary administrative obstacles. It also encouraged the Commission to clarify that the 4Mbps/1 Mbps exception applies on a location by location basis.

¹ See, United States Telecom Association Petition for Reconsideration and Clarification, WC Docket No. 11-42; WC Docket No. 09-197; WC Docket No. 10-90 (June 23, 2016) (*USTelecom Lifeline Petition*).

² Third Report and Order, Further Report And Order, and Order on Reconsideration, *Lifeline and Link Up Reform and Modernization*, FCC 16-38, 31 FCC Rcd. 3962, 81 FR 33025 (2016).

³ *USTelecom Lifeline Petition*, pp. 15 – 17.

USTelecom also discussed issues arising from the implementation of the streamlined eligibility criteria and the offering of broadband internet access service (BIAS) under the federal Lifeline program.⁴ USTelecom noted the challenges arising in the approximately 30 states where a misalignment exists between state-mandated Lifeline discounts and federal eligibility criteria.⁵ We also emphasized that this misalignment significantly complicates the application and intake process, eligibility determinations, recertifications, customer counts, rate plans and every other aspect of managing the Lifeline program. We also discussed our concerns with the Commission's port freeze requirements, which we noted would introduce substantial administrative burdens and complexity into the Lifeline program.

In addition, USTelecom expressed its concerns regarding a requirement for providers to implement rolling recertification prior to implementation of the National Verifier.⁶ USTelecom pointed out that any move to a rolling process for recertification prior to implementation of the National Verifier would impose significant additional administrative burdens on Lifeline providers who already have processes in place for managing recertifications under the existing Lifeline rules.

Finally, USTelecom briefly discussed various issues in the USTelecom Petition that were unopposed in the proceeding, but nevertheless require administrative action or clarification by the Commission. In particular, USTelecom encouraged the Commission to clarify that a high cost eligible telecommunications carrier (ETC) accepting forbearance from the Lifeline broadband obligation in a given area can seek a Lifeline broadband provider ETC designation for that same area if it decides that it wants to offer Lifeline broadband at a later date.⁷ USTelecom also discussed the need for the Commission to clarify that during the interim period when support for standalone voice will remain available, providers can choose to offer either standalone voice or voice as part of a bundle with broadband.⁸

We also encouraged the Commission to correct certain of its rules in order for them to be consistent with actions taken in the Lifeline order.⁹ Certain document retention issues – also unopposed in the proceeding – were also discussed. USTelecom noted that grant of these proposals would improve the effectiveness and administration of the Lifeline program.

⁴ *Id.*, pp. 7 – 10.

⁵ *Id.* See also, USTelecom Ex Parte Notice, WC Docket No. 09-197 (submitted March 4, 2016).

⁶ *USTelecom Lifeline Petition*, pp. 2 – 4.

⁷ *Id.*, pp. 22 – 23.

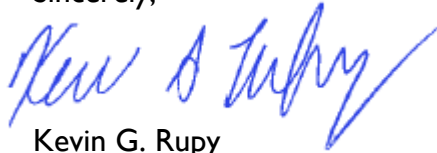
⁸ *Id.*, p. 24.

⁹ *Id.*, pp. 18 – 22.

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Please do not hesitate to contact the undersigned if you have questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Rupy", with a long, sweeping horizontal stroke extending to the right.

Kevin G. Rupy
Vice President, Law & Policy

cc: Trent Harkrader
Jodie Griffin
Garnet Hanly
Christian Hoefly
Nathan Eagan